

be declared unconstitutional, it shall not affect the validity of the remainder, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, April 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 319, A bill to be entitled "An Act prohibiting the buyer of baled cotton deducting from the value thereof because of the weight of said bale except as provided herein; and providing that no buyer shall be required to accept a bale of cotton weighing less than three hundred and fifty (350) pounds, and that any ginner ginning a bale of cotton weighing in excess of six hundred (600) pounds may charge not more than one dollar (\$1) for said bale in addition to his regular ginning charges; fixing a penalty for making deductions contrary to the provisions of this Act; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

FIFTIETH DAY

(Wednesday, April 12, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Butler.
Adamson.	Calvert.
Aikin.	Camp.
Alexander.	Canon.
Alsup.	Cathey.
Anderson	Caven.
of Bexar.	Chastain.
Anderson	Clayton.
of Johnson.	Colson.
Baker.	Coombes.
Barrett.	Cowley.
Barron.	Crossley.
Beck.	Daniel.
Bedford.	Davidson.
Bourne.	Dean.
Bradley.	Devall.
Burns.	Dunlap.

Dunagan.	McCullough.
Duvall.	McGregor.
Dwyer.	McKee.
Engelhard.	Merritt.
Fain.	Metcalf.
Few.	Mitcham.
Fisher.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Munson.
Good.	Nicholson.
Goodman.	Palmer.
Graves.	Parkhouse.
Greathouse.	Patterson.
Griffith.	Pavlica.
Haag.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harris.	Ratliff.
Harrison.	Ray.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hester.	Reed of Dallas.
Hicks.	Renfro.
Hill of Brazoria.	Riddle.
Hill of Webb.	Roberts.
Hodges.	Rogers of Hunt.
Holekamp.	Rogers of Ochiltree.
Holland.	Rollins.
Holloway.	Ross.
Hoskins.	Russell.
Huddleston.	Savage.
Hughes.	Scarborough.
Hunt.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Smith.
Jefferson.	Stanfield.
Johnson	Steward.
of Anderson.	Stinson.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Sullivant.
Jones of Shelby.	Tarwater.
Kayton.	Tennyson.
Kyle of Hays.	Thomas.
Kyle of Palo Pinto.	Tillery.
Laird.	Townsend.
Latham.	Turlington.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lindsey.	Walker.
Long.	Weinert.
Lotief.	Wells.
Magee.	West.
Mackay.	Winningham.
Mathis.	Wood.
McClain.	Young.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of illness:

Mr. McDougald for today, on motion of Mr. Parkhouse.

Mr. Van Zandt for today, on motion of Mr. Sullivant.

HOUSE BILL ON FIRST READING

Mr. Haag moved that the following bill be introduced today, laid before the House, and referred to the appropriate committee:

The motion prevailed by the following vote:

Yeas—106

Adamson.	Hoskins.
Aikin.	Huddleston.
Alexander.	Hughes.
Alsup.	Hunt.
Anderson	Jackson.
of Johnson.	James.
Baker.	Jefferson.
Barrett.	Johnson
Bedford.	of Anderson.
Bourne.	Jones of Atascosa.
Burns.	Jones of Runnels.
Calvert.	Jones of Shelby.
Canon.	Kyle of Hays.
Cathey.	Laird.
Chastain.	Leonard.
Clayton.	Lindsey.
Cowley.	Lotief.
Crossley.	Magee.
Daniel.	McClain.
Davidson.	McCullough.
Dean.	McKee.
Devall.	Merritt.
Dunagan.	Metcalfe.
Engelhard.	Mitcham.
Fain.	Morrison.
Few.	Morse.
Fisher.	Nicholson.
Ford.	Palmer.
Fuchs.	Parkhouse.
Glass.	Patterson.
Golson.	Pavlica.
Good.	Ratliff.
Goodman.	Ray.
Graves.	Reader.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Haag.	Renfro.
Hankamer.	Riddle.
Harris.	Roberts.
Hartzog.	Rogers
Head.	of Ochiltree.
Hester.	Rollins.
Hicks.	Ross.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Scarborough.

Shannon.
Shults.
Smith.
Stanfield.
Steward.
Stinson.
Sullivant.
Tarwater.
Thomas.

Tillery.
Townsend.
Vaughan.
Wagstaff.
Walker.
Weinert.
Winningham.
Wood.

Present—Not Voting

Puryear.

Absent

Anderson	Kyle of Palo Pinto.
of Bexar.	Latham.
Barron.	Lemens.
Beck.	Long.
Bradley.	Mackay.
Butler.	Mathis.
Camp.	McGregor.
Caven.	Moffett.
Colson.	Moore.
Coombes.	Munson.
Dunlap.	Pope.
Duvall.	Ramsey.
Dwyer.	Rogers of Hunt.
Harman.	Scott.
Harrison.	Stovall.
Hill of Brazoria.	Tennyson.
Hill of Webb.	Turlington.
Holloway.	Wells.
Hyder.	West.
Kayton.	Young.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

In accordance with the above action, the following House bill was introduced today, laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Haag:

H. B. No. 885, A bill to be entitled "An Act prescribing additional powers and duties of the commissioners courts in counties having a population of not less than 7,800 and not more than 8,000, according to the latest Federal Census; making provision for holding an election in each such county to determine whether a maintenance tax shall be levied against all property in such county for the support of public schools therein; providing the duties of the county judge and commissioners court in reference to said election; prescribing the duties and powers of the commissioners court and of the several boards of district trustees, in determining the amounts of money

necessary to maintain the schools of each school district; etc.; and declaring an emergency."

Referred to Committee on Education.

BILLS LAID ON THE TABLE SUBJECT TO CALL

On motion of Mr. Bradley, House Bill No. 100 was laid on the table subject to call.

Mr. Parkhouse moved a call of the House for the purpose of maintaining a quorum until 11 o'clock a. m., today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

Mr. Patterson moved to reconsider the vote by which the call of the House was ordered, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Sullivant, the Sergeant-at-Arms was instructed to bring all absent Members within the city who are not ill.

The roll of the House was called, and a quorum was announced present.

Mr. Walker moved that House Bill No. 878 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—87

Adamson.	Fisher.
Alexander.	Ford.
Baker.	Fuchs.
Bedford.	Glass.
Bourne.	Golson.
Bradley.	Greathouse.
Burns.	Griffith.
Butler.	Haag.
Calvert.	Hankamer.
Canon.	Harris.
Cathey.	Head.
Clayton.	Hester.
Cowley.	Hicks.
Crossley.	Hodges.
Davidson.	Holekamp.
Devall.	Holland.
Dunagan.	Hoskins.
Duvall.	Huddleston.
Engelhard.	Hughes.
Fain.	Jackson.
Few.	Jefferson.

Johnson	Pope.
of Anderson.	Purveyer.
Jones of Runnels.	Ramsey.
Jones of Shelby.	Ratliff.
Kyle of Hays.	Reader.
Laird.	Reed of Bowie.
Latham.	Renfro.
Lemens.	Riddle.
Leonard.	Roberts.
Lindsey.	Rollins.
Lotief.	Ross.
Magee.	Scarborough.
Mackay.	Shannon.
McClain.	Shults.
McCullough.	Sullivant.
Merritt.	Tillery.
Mitcham.	Townsend.
Moore.	Vaughan.
Morrison.	Wagstaff.
Morse.	Walker.
Nicholson.	Winningham.
Palmer.	Wood.
Pavlica.	Young.

Nays—16

Alsup.	Parkhouse.
Anderson	Ray.
of Johnson.	Reed of Dallas.
Camp.	Smith.
Good.	Stanfield.
Goodman.	Stinson.
Hill of Brazoria.	Thomas.
Hunt.	Weinert.
Mathis.	

Absent

Aikin.	Kayton.
Anderson	Kyle of Palo Pinto.
of Bexar.	Long.
Barrett.	McGregor.
Barron.	McKee.
Beck.	Metcalfe.
Caven.	Moffett.
Chastain.	Munson.
Colson.	Patterson.
Coombes.	Rogers of Hunt.
Daniel.	Rogers
Dean.	of Ochiltree.
Dunlap.	Russell.
Dwyer.	Savage.
Graves.	Scott.
Harman.	Steward.
Harrison.	Stovall.
Hartzog.	Tarwater.
Hill of Webb.	Tennyson.
Holloway.	Turlington.
Hyder.	Wells.
James.	West.
Jones of Atascosa.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

On motion of Mr. McKee, House Bill No. 655 was laid on the table subject to call.

Mr. Mathis moved that House Bill No. 122 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—83

Adamson.	James.
Alexander.	Jefferson.
Alsup.	Johnson
Anderson	of Anderson.
of Bexar.	Jones of Atascosa.
Baker.	Jones of Shelby.
Barron.	Kyle of Palo Pinto.
Beck.	Laird.
Bedford.	Latham.
Bourne.	Leonard.
Bradley.	Lotief.
Butler.	Mackay.
Calvert.	Mathis.
Cathey.	McClain.
Caven.	McCullough.
Clayton.	McGregor.
Cowley.	McKee.
Daniel.	Metcalf.
Devall.	Moffett.
Dunagan.	Moore.
Duvall.	Morse.
Dwyer.	Nicholson.
Ford.	Patterson.
Fuchs.	Pavlica.
Golson.	Pope.
Good.	Ramsey.
Goodman.	Reader.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Haag.	Roberts.
Hankamer.	Rogers
Harris.	of Ochiltree.
Harrison.	Ross.
Hartzog.	Russell.
Hester.	Savage.
Hicks.	Scarborough.
Hill of Brazoria.	Shannon.
Holekamp.	Stanfield.
Holland.	Tennyson.
Hoskins.	Tillery.
Huddleston.	Walker.
Hughes.	Weinert.
Jackson.	Young.

Nays—40

Aikin.	Fain.
Anderson	Few.
of Johnson.	Glass.
Barrett.	Graves.
Camp.	Head.
Canon.	Hodges.
Crossley.	Hunt.
Dean.	Jones of Runnels.

Kyle of Hays.	Scott.
Lemens.	Shults.
Lindsey.	Stinson.
Magee.	Tarwater.
Merritt.	Thomas.
Morrison.	Townsend.
Palmer.	Turlington.
Parkhouse.	Vaughan.
Puryear.	Wagstaff.
Ratliff.	Wells.
Ray.	Winningham.
Reed of Bowie.	Wood.
Rollins.	

Present—Not Voting

Fisher.	Riddle.
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Absent

Burns.	Kayton.
Chastain.	Long.
Colson.	Mitcham.
Coombes.	Munson.
Davidson.	Rogers of Hunt.
Dunlap.	Smith.
Engelhard.	Steward.
Harman.	Stovall.
Hill of Webb.	Sullivant.
Holloway.	West.
Hyder.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

MOTION TO LAY HOUSE BILL NO. 460 ON THE TABLE SUBJECT TO CALL

Mr. Parkhouse moved that House Bill No. 460 be laid on the table subject to call.

The motion was lost.

MOTION TO LAY HOUSE BILL NO. 329 ON THE TABLE SUBJECT TO CALL

Mr. Griffith moved that House Bill No. 329 be laid on the table subject to call.

The motion was lost.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed

H. B. No. 28, A bill to be entitled "An Act to amend Article 4604, of the Revised Civil Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 114, so as to provide that persons who desire to marry shall procure from the county clerk a license directed to all persons authorized by law to celebrate the rites of matrimony, and that said license shall be sufficient to celebrate such marriage, etc., and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 275 ON FINAL PASSAGE

Mr. Tarwater moved to reconsider the vote by which House Bill No. 275 was passed.

The motion to reconsider prevailed.

House Bill No. 275 was then passed by the following vote:

Yeas—111

Adamson.	Greathouse.
Alexander.	Griffith.
Alsup.	Haag.
Anderson	Hankamer.
of Johnson.	Harman.
Baker.	Harris.
Barrett.	Harrison.
Barron.	Head.
Beck.	Hester.
Bourne.	Hicks.
Bradley.	Hill of Brazoria.
Butler.	Hodges.
Calvert.	Holekamp.
Camp.	Holland.
Canon.	Hoskins.
Cathey.	Hughes.
Caven.	Hunt.
Chastain.	Jackson.
Clayton.	James.
Cowley.	Jefferson.
Crossley.	Johnson
Daniel.	of Anderson.
Davidson.	Jones of Shelby.
Dean.	Kyle of Hays.
Devall.	Kyle of Palo Pinto.
Dunlap.	Lemens.
Dunagan.	Lindsey.
Duvall.	Lotief.
Fain.	Magee.
Fisher.	Mackay.
Ford.	Mathis.
Fuchs.	McClain.
Glass.	McGregor.
Golson.	McKee.
Good.	Merritt.
Goodman.	Metcalfe.
Graves.	Moffett.

Moore.
Morse.
Nicholson.
Palmer.
Parkhouse.
Patterson.
Pavlica.
Pope.
Ramsey.
Ratliff.
Ray.
Reader.
Reed of Bowie.
Reed of Dallas.
Renfro.
Riddle.
Roberts.
Rogers
of Ochiltree.
Rollins.

Ross.
Russell.
Scott.
Shannon.
Shults.
Stanfield.
Stinson.
Sullivant.
Tarwater.
Tennyson.
Thomas.
Townsend.
Vaughan.
Wagstaff.
Walker.
Weinert.
Wells.
West.
Wood.
Young.

Nays—3

Aikin.
Huddleston.

Winningham.

Absent

Anderson	Latham.
of Bexar.	Leonard.
Bedford.	Long.
Buins.	McCullough.
Colson.	Mitcham.
Coombes.	Morrison.
Dwyer.	Munson.
Engelhard.	Puryear.
Few.	Rogers of Hunt.
Hartzog.	Savage.
Hill of Webb.	Scarborough.
Holloway.	Smith.
Hyder.	Steward.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Tillery.
Kayton.	Turlington.
Laird.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

REASON FOR VOTE

Reason for changing my vote on House Bill No. 275: I voted "no," favoring the Puryear amendment which lost. I voted "yea" to give the bill 100 votes necessary for it to go into effect immediately.

REED of Bowie.

RELATIVE TO HOUSE BILLS NOS. 97 AND 303

On motion of Mr. Ratliff, by unanimous consent of the House, the captions of House Bills Nos. 97 and 303 were ordered amended to conform to all changes made in the bills.

RELATIVE TO HOUSE BILL NO.
278

On motion of Mr. Sullivan, by unanimous consent of the House, the caption of House Bill No. 278 was ordered amended to conform to all changes made in the body of the bill.

NOTICE GIVEN

Mr. Anderson of Bexar gave notice that he would, on the next legislative House bill day, move to take up, for consideration at that time, House Bill No. 122, which bill had heretofore been laid on the table subject to call.

RELATIVE TO HOUSE BILL NO.
243

Mr. Merritt moved that the House take up, for consideration at this time,

H. B. No. 243, A bill to be entitled "An Act amending Article 2902, of the Revised Civil Statutes of 1925, as amended by Chapter 97, Acts of the Forty-first Legislature, fixing the scholastic ages of pupils in the public free school by raising the minimum school age to seven (7) years, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Mr. Moffett raised a point of order on further consideration of the motion, on the ground that it is out of order to consider a House bill on Senate bill day, and that today is Senate bill day.

The Speaker sustained the point of order.

HOUSE BILL NO. 28 WITH SEN-
ATE AMENDMENTS

Mr. Alsup called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 28, A bill to be entitled "An Act to amend Article 4604, of the Revised Civil Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 114, so as to provide that persons who desire to marry shall procure from the county clerk a license directed to all persons authorized by law to celebrate the rites of matrimony, and that said license shall be sufficient to celebrate such marriage, etc.; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Alsup moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

Mr. Butler moved that the House concur in the Senate amendments.

On motion of Mr. Alsup, the motion by Mr. Butler was tabled.

Question next recurring on the motion by Mr. Alsup, it prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Alsup, Mathis, Sullivan, Reader, and Walker.

TO GRANT ALBERT MOORE PER-
MISSION TO SUE THE
STATE

Mr. Lindsey offered the following resolution:

H. C. R. No. 59, To grant Albert Moore permission to sue the State of Texas.

Whereas, Albert Moore, a resident of Jones County, Texas, has resided in Hamlin, Jones County, Texas, since 1923, and has had his place of residence at the same place since that date, and which residence is located on the west side of Highway No. 4 in the north part of Hamlin, Texas; and

Whereas, In the year 1932, during the months of February and March, the State Highway Department of Texas caused and did reconstruct the said Highway No. 4, along the property of the petitioner herein, and made a two-foot fill on said highway over and above the highway as it was prior to said dates as mentioned above, and in making said fill and dump the said Highway Department did not cause to be built or constructed proper drainage structures to take care of the normal flow of water after rains in the vicinity of the said Albert Moore's property; and

Whereas, By reason of said Highway Department's failure to construct said drainage structures, during the month of June, 1932, there came heavy rains, and water collected and stood on the property of the petitioner herein to a depth of eighteen inches and did not drain off for a number of days; and

Whereas, The said Albert Moore, petitioner herein, is engaged in the hatchery business, and has been so

engaged for a number of years at the same location, and at no time prior to said date of June, 1932, had water stood on his premises to such a great depth or to his damage; and

Whereas, In June, 1932, the said Albert Moore was engaged in said hatchery business, and said heavy rains came, filling the bar ditches on said highway, and said highway not being properly drained caused water to spread over petitioner's property to the depth mentioned hereinabove, and said water covered the poultry yard of the petitioner, and drowned the following described chickens, to wit: 225 grown hens, valued at \$1 each; 1,480 five- and eight-weeks-old chickens, valued at twenty-five cents each; and

Whereas, Said water stood on the property of the petitioner and caused his house to settle on its foundation damaging it in the sum of two hundred and fifty dollars (\$250), the entire damage to this claimant being eight hundred and forty-five dollars (\$845); and

Whereas, Your petitioner requested said Highway Department to construct proper drainage structures, and said Highway Department sent an engineer to investigate and did construct a drainage structure one mile north of the petitioner's property, but same was constructed too late to prevent the damages set out herein; and

Whereas, This petitioner says that this is a just claim, and same has not been paid either in whole or in part, and the petitioner has actually suffered the loss and damage as hereinabove set out; and

Whereas, Although the Legislature of the State of Texas does not admit that the said Albert Moore has a valid or just claim against the State Highway Commission, it is the sense of this Legislature that no citizen of this State or any other State who has a valid or just claim against the State of Texas be deprived of his property to establish and enforce said claim against the State or any department thereof by reason of any legal inhibition; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That:

Section 1. That Albert Moore, a resident of the County of Jones, State of Texas, is hereby given and granted

consent and permission to file suit against the State Highway Commission of the State of Texas as such Commission and the State of Texas in any State district court in Travis County, Texas, said suit shall be based upon the claim hereto attached and made a part hereof.

Sec. 2. That the State of Texas and said Highway Commission, in case a judgment may be obtained by said Albert Moore, may appeal from the said judgment as provided by law for other parties, and the State and said Highway Commission shall not be required to execute any bonds, and if a final judgment be recovered against the State of Texas or said State Highway Commission, the same shall be paid in full out of the State Highway Funds.

Sec. 3. Service in said cause shall be had by citing the Governor, the Chairman of the Highway Commission, and the Attorney General of the State of Texas, and the said service of citation shall have the same force and effect as is provided by law for service in civil cases.

LINDSEY,
WAGSTAFF.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT W. C. MOORE PERMISSION TO SUE THE STATE

Mr. Sullivant offered the following resolution:

H. C. R. No. 60, To grant W. C. Moore permission to sue the State.

Whereas, On or about March 26, 1930, Mr. W. C. Moore, of Gainesville, Texas, who was then in the employ of the State Highway Department of Texas, and was working in the vicinity of Gainesville, Texas, upon the State highway; and

Whereas, Said W. C. Moore, while in the discharge of his duties, was seriously injured, and is still suffering from the effects of the injury; and

Whereas, Said W. C. Moore has never been compensated by the State for the injuries received while in its employ; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That W. C. Moore be, and hereby is, granted permission

to bring suit against the State of Texas, in a court of competent jurisdiction, in order to determine compensation for injuries received, if any he can show, while in the employ of the State Highway Department; and that service of citation, or other necessary process, may be had upon the Highway Commission and the Attorney General with the same force and effect as in civil cases. Be it further

Resolved, That the Commissioners of the Highway Department be authorized to compromise or otherwise settle any suit brought as a result of this resolution, if, in their opinion, the said W. C. Moore is entitled to compensation because of said injuries.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

INVITATION FROM GOVERNOR MIRIAM A. FERGUSON

Hon. Miriam A. Ferguson, Governor, having been escorted to the Speaker's stand by Messrs. James, Dunagan, and Davidson, extended an invitation to the Members of the House and their wives, to attend a reception at the Governor's Mansion, on Tuesday, April 18, from 8 to 10 p. m., in honor of the Members of the Forty-third Legislature.

On motion of Mr. Savage, the House accepted the invitation.

TO GRANT W. F. SEWELL AND WIFE PERMISSION TO SUE THE STATE

Mr. Wells offered the following resolution:

H. C. R. No. 61, To grant W. F. Sewell and wife permission to sue the State.

Whereas, During the year 1931, W. F. Sewell, and his wife, Mrs. Irma Sewell, and J. C. Lewis were damaged by the State Highway Commission by virtue of the construction of State Highway No. 32 and Federal Highway No. 75, which runs between the town of Angus and the town of Richland, over the property of said Sewell and wife, and which they claim is damaging said property and the crops thereon situated, said road running through said property.

Whereas, The State Highway Commission contends that suit can not be maintained against said State High-

way Commission without permission from the Legislature of the State of Texas; and

Whereas, Although the Legislature of the State of Texas does not admit that the said plaintiffs have a valid or just claim against the State Highway Commission, it is the sense of this Legislature that no citizen of this State, who has a valid or just claim against the State Highway Commission or the State of Texas, shall be deprived of his opportunity to establish or enforce such claim by reason of any constitutional inhibition; and

Whereas, Suit has been brought in the District Court of Navarro County, Texas, the original petition having been filed on September 21, 1931, and service having been had; and

Whereas, Said W. F. Sewell, and his wife, Mrs. Irma Sewell, and J. C. Lewis have never been compensated for the damages to crops; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That W. F. Sewell, and his wife, Mrs. Irma Sewell, and J. C. Lewis be, and hereby are, granted permission to bring and continue suit against the State Highway Commission and the State of Texas, in Navarro County, in order to determine compensation for damages received, if any they can show, and that service of citation or other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as in civil cases.

The resolution was read second time, and was referred by the Speaker, to the Committee on State Affairs.

TO GRANT E. A. ELIOT AND WIFE PERMISSION TO SUE THE STATE

Mr. Wells offered the following resolution:

H. C. R. No. 62, To grant E. A. Eliot and wife permission to sue the State.

Whereas, During the year 1931, E. A. Eliot and wife, Mrs. Hattie Eliot, were damaged by the State Highway Commission by virtue of the construction of State Highway No. 32 and Federal Highway No. 75, which runs between the town of Angus and the town of Richland, to the west of the property of said Eliot and wife, and which they claim is damag-

ing said property and the crops thereon situated, by overflow. Said property being ninety-six (96) acres of land out of the Upper John White League in Navarro County.

Whereas, The State Highway Commission contends that suit cannot be maintained against said State Highway Commission without permission from the Legislature of the State of Texas; and

Whereas, Although the Legislature of the State of Texas does not admit that the said plaintiffs have a valid or just claim against the State Highway Commission, it is the sense of this Legislature that no citizen of this State, who has a valid or just claim against the State Highway Commission or the State of Texas, shall be deprived of his opportunity to establish or enforce such claim by reason of any constitutional inhibition; and

Whereas, Suit has been brought in the District Court of Navarro County, Texas, the original petition having been filed on September 12, 1931, and service having been had; and

Whereas, Said E. A. Eliot and wife, Mrs. Hattie Eliot, have never been compensated for the damages to crops; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That E. A. Eliot and wife, Mrs. Hattie Eliot, be, and hereby are, granted permission to bring and continue suit against the State Highway Commission and the State of Texas, in Navarro County, in order to determine compensation for damages received, if any they can show, and that service of citation or other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Vaughan offered the following resolution:

H. C. R. No. 63, Providing for adjournment sine die.

Whereas, 120 days of the Regular Session of the Forty-third Legislature will expire on May 9, 1933, and

Whereas, The people of this State

are desirous that the Legislature conclude its labors within 120 days. Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Forty-third Regular Session of the Legislature of the State of Texas adjourn sine die at 12 o'clock noon, May 9, 1933.

The resolution was read second time.

Mr. Vaughan moved that the resolution be laid on the table subject to call.

Mr. Moore moved to table the resolution.

Question first recurring on the motion by Mr. Moore, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71

Adamson.	Lemens.
Alsup.	Leonard.
Anderson	Lotief.
of Bexar.	Mackay.
Barron.	McClain.
Butler.	McCullough.
Camp.	McGregor.
Chastain.	Mitcham.
Clayton.	Moore.
Davidson.	Morrison.
Dunlap.	Morse.
Dunagan.	Nicholson.
Duvall.	Patterson.
Engelhard.	Pope.
Few.	Puryear.
Fuchs.	Ramsey.
Golson.	Reader.
Good.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Rogers of Ochiltree.
Harris.	Russell.
Harrison.	Scarborough.
Hartzog.	Scott.
Hester.	Shannon.
Hill of Webb.	Smith.
Holekamp.	Stanfield.
Holland.	Stinson.
Hoskins.	Sullivan.
Hyder.	Tarwater.
Jackson.	Tennyson.
Jefferson.	Thomas.
Johnson	Townsend.
of Anderson.	Turlington.
Jones of Atascosa.	Weinert.
Jones of Shelby.	Winningham.
Kyle of Palo Pinto.	Young.
Latham.	

Nays—51

Aikin.	Baker.
Anderson	Beck.
of Johnson.	Bourne.

Calvert.	Jones of Runnels.
Canon.	Laird.
Cathey.	Lindsey.
Caven.	Magee.
Cowley.	Mathis.
Crossley.	Merritt.
Daniel.	Metcalf.
Dean.	Moffett.
Devall.	Parkhouse.
Fain.	Pavlica.
Fisher.	Ratliff.
Ford.	Reed of Bowie.
Glass.	Riddle.
Goodman.	Roberts.
Greathouse.	Ross.
Head.	Savage.
Hicks.	Shults.
Hill of Brazoria.	Tillery.
Hodges.	Vaughan.
Huddleston.	Wagstaff.
Hughes.	Walker.
Hunt.	Wells.
James.	Wood.

Absent

Alexander.	Kayton.
Barrett.	Kyle of Hays.
Bedford.	Long.
Bradley.	McKee.
Burns.	Munson.
Colson.	Palmer.
Coombes.	Ray.
Dwyer.	Rogers of Hunt.
Graves.	Rollins.
Griffith.	Steward.
Haag.	Stovall.
Holloway.	West.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

RELATIVE TO LOBBYING

Mr. Adamson offered the following resolution:

Whereas, It is recognized that all those interested in legislation, including both individuals and all persons representing corporations, have the right to appear before committees of the Legislature, and contact the individual Members of the Legislature, either for or against legislation in which they or their clients are interested; and

Whereas, It is not desired to limit or curtail any constitutional privileges or rights to appear before committees of the House; and

Whereas, It is but fair and reasonable that the Membership of the House be advised of the character of the connections of those appearing for and against proposed legislation, in-

cluding the heads of State departments and their employes; therefore, be it

Resolved by the House of Representatives, That as a condition precedent to appearing before any committee of the House, all persons employed by corporations as attorneys or representatives, including heads of State departments and the employes thereof, be, and they are hereby, required to file with the Chief Clerk of the House of Representatives, to be kept as a permanent record, a statement under oath, in affidavit form, containing the following information, which shall be open for inspection and examination at all times:

1. The name or names of all clients, persons, or corporations which they represent who are, or may be, interested in pending or proposed legislation.

2. If a corporation or corporations, the name and address of such corporation, giving the name and address of at least one Texas official thereof.

3. A statement of the character of legislation in which such clients are interested. And be it further

Resolved, That all the heads of State departments, agents, and employes thereof, shall be, and the same are hereby, prohibited from attempting, by personal contact or otherwise, on the floor of the House, to attempt to influence individual Members of the House concerning matters of pending or proposed legislation which concerns their respective positions and departments; provided, however, that they shall have the right to appear for or against any proposition in which they are interested before any committee of the House in which such legislation may be pending and present their views in regard thereto.

ADAMSON,
LOTIEF,
FAIN,
HUDDLESTON.

The resolution was read second time.

Mr. Reed of Dallas offered the following amendment to the resolution:

Amend resolution to the effect that each Member of the House shall receive a copy of such notice that might be filed.

Mr. Mathis raised a point of order on further consideration of the res-

olution, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Calvert moved that the time for the consideration of resolutions be extended until the pending resolution is disposed of.

Mr. Savage moved to table the motion.

The motion to table was lost.

Question then recurring on the motion by Mr. Calvert, it prevailed.

Question then recurring on the amendment by Mr. Reed of Dallas, it was adopted.

Mr. Camp moved the previous question on the pending resolution, and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—71

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kyle of Hays.
Alsup.	Laird.
Anderson	Latham.
of Johnson.	Lindsey.
Barron.	Lotief.
Bourne.	Magee.
Bradley.	McCullough.
Burns.	Merritt.
Calvert.	Metcalfe.
Canon.	Mitcham.
Cathey.	Munson.
Chastain.	Parkhouse.
Colson.	Puryear.
Cowley.	Reed of Bowie.
Daniel.	Reed of Dallas.
Dunagan.	Rollins.
Fain.	Russell.
Few.	Scarborough.
Fisher.	Scott.
Fuchs.	Stanfield.
Glass.	Steward.
Golson.	Sullivan.
Greathouse.	Tarwater.
Harris.	Tennyson.
Hartzog.	Thomas.
Head.	Tillery.
Hester.	Turlington.
Hicks.	Wagstaff.
Hodges.	Walker.
Holland.	Weinert.
Hoskins.	Wells.
Huddleston.	Winningham.
Hyder.	Wood.
Jefferson.	Young.

Yeas—51

Anderson	Kayton.
of Bexar.	Kyle of Palo Pinto.
Baker.	Long.
Barrett.	Mackay.
Butler.	Mathis.
Clayton.	McClain.
Crossley.	McGregor.
Davidson.	McKee.
Dean.	Moore.
Devall.	Morse.
Dunlap.	Nicholson.
Dwyer.	Pavlica.
Engelhard.	Pope.
Ford.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Griffith.	Reader.
Haag.	Renfro.
Hankamer.	Roberts.
Hill of Brazoria.	Ross.
Hill of Webb.	Shannon.
Hunt.	Shults.
Jackson.	Smith.
James.	Stinson.
Johnson	Townsend.
of Anderson.	Vaughan.
Jones of Atascosa.	

Present—Not Voting

Camp.	Stovall.
Riddle.	

Absent

Beck.	Lemens.
Bedford.	Leonard.
Caven.	Moffett.
Coombes.	Morrison.
Duvall.	Palmer.
Graves.	Patterson.
Harman.	Rogers of Hunt.
Harrison.	Rogers
Holekamp.	of Ochiltree.
Holloway.	Savage.
Hughes.	West.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

Mr. Burns moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 11 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. J. R. No. 11, Proposing an amendment to the Constitution of Texas,

by amending Article IV, Section 26, changing the manner of appointment of notaries public.

The resolution was read third time, and failed to pass by the following vote:

Yeas—71

Adamson.	Lemens.
Alexander.	Leonard.
Anderson	Lotief.
of Johnson.	Magee.
Butler.	Mathis.
Calvert.	McClain.
Camp.	McKee.
Clayton.	Metcalfe.
Colson.	Mitcham.
Cowley.	Moffett.
Daniel.	Moore.
Dean.	Munson.
Devall.	Palmer.
Engelhard.	Parkhouse.
Fain.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Good.	Roberts.
Graves.	Rogers of Hunt.
Griffith.	Rogers
Haag.	of Ochiltree.
Hankamer.	Rollins.
Harris.	Ross.
Hester.	Savage.
Hill of Brazoria.	Shannon.
Holland.	Shults.
Hoskins.	Stanfield.
Huddleston.	Stinson.
Hughes.	Sullivant.
Hunt.	Tennyson.
Jackson.	Thomas.
Johnson	Tillery.
of Anderson.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Weinert.
Kyle of Hays.	Winningham.
Latham.	Wood.

Nays—18

Aikin.	Hicks.
Baker.	James.
Barrett.	Kyle of Palo Pinto.
Beck.	Pavlica.
Canon.	Ramsey.
Davidson.	Ratliff.
Ford.	Ray.
Golson.	Scarborough.
Head.	Smith.

Absent

Alsup.	Bradley.
Anderson	Burns.
of Bexar.	Cathey.
Barron.	Caven.
Bedford.	Chastain.
Bourne.	Coombes.

Crossley.	Mackay.
Dunlap.	McCullough.
Dunagan.	McGregor.
Duvall.	Merritt.
Dwyer.	Morrison.
Few.	Morse.
Fisher.	Nicholson.
Goodman.	Patterson.
Greathouse.	Pope.
Harman.	Purveyer.
Harrison.	Renfro.
Hartzog.	Riddle.
Hill of Webb.	Russell.
Hodges.	Scott.
Holekamp.	Steward.
Holloway.	Stovall.
Hyder.	Tarwater.
Jefferson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Vaughan.
Laird.	Wells.
Lindsey.	West.
Long.	Young.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

Mr. Daniel raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Moffett moved a call of the House for the purpose of securing and maintaining a quorum until 12 o'clock m., today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Savage, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was called, and the Speaker announced that there was a quorum present.

RELATIVE TO HOUSE BILL NO.
296

On motion of Mrs. Hughes, the caption of House Bill No. 296 was ordered amended to conform to all changes made in the body of the bill.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 474, "An Act to amend Article 2547, Revised Civil Statutes of Texas; as amended by the Forty-first Legislature, at the Regular Session, and as further amended by Senate Bill No. 153, Acts of the Forty-third Legislature, Regular Session; and declaring an emergency."

S. B. No. 391, "An Act permitting water improvement districts and water control and improvements districts to borrow from the Amortization and Emergency Fund within two years; to sell or hypothecate bonds and securities in which such funds are invested, for the purpose of operating such districts; such funds to be replaced within five years, with 5 per cent interest; and declaring an emergency."

S. B. No. 477, "An Act repealing Chapter 56, Special Laws, Forty-second Legislature, Regular Session, 1931, known as House Bill No. 365, creating the County Court of Potter County at Law; transferring the causes pending on the docket of said court to the County Court of Potter County and the justice courts of Potter County; making all writs and process issued out of said County Court of Potter County at Law valid and binding in the court to which the causes are transferred; and declaring an emergency."

HOUSE JOINT RESOLUTION NO. 16 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 16, Proposing to amend Section 2, Article VI, of the Constitution, repealing the provision making the payment of a poll tax a qualification as a voter, and providing that the same shall hereafter read as hereinafter set out.

The resolution was read third time.

Mr. McGregor offered the following amendment to the resolution:

Amend Section 1 of the resolution to read:

"Section 1. That Article VI, Section 2, of the Constitution of the State of

Texas, be amended so as to read as follows:

"Article VI, Section 2. Every person subject to none of the foregoing, etc.,"

The amendment was adopted.

Mr. Wells moved the previous question on the passage of the resolution, and the main question was ordered.

House Joint Resolution No. 16 then failed to pass by the following vote:

Yeas—55

Adamson.	Laird.
Aikin.	Latham.
Anderson	Lotief.
of Bexar.	Mackay.
Bradley.	Mathis.
Calvert.	McClain.
Camp.	McGregor.
Canon.	McKee.
Chastain.	Moore.
Colson.	Morrison.
Cowley.	Morse.
Dunagan.	Pavlica.
Dwyer.	Pope.
Fuchs.	Puryear.
Glass.	Ramsey.
Golson.	Rogers of Hunt.
Good.	Rogers
Greathouse.	of Ochiltree.
Haag.	Ross.
Hankamer.	Scarborough.
Hicks.	Shannon.
Hill of Brazoria.	Smith.
Hoskins.	Sullivant.
Huddleston.	Tarwater.
Hyder.	Tennyson.
Jackson.	Tillery.
James.	Vaughan.
Jefferson.	Walker.
Jones of Shelby.	

Nays—71

Alexander.	Fisher.
Alsup.	Ford.
Anderson	Goodman.
of Johnson.	Graves.
Baker.	Harman.
Barrett.	Harris.
Beck.	Hartzog.
Bourne.	Head.
Burns.	Hester.
Butler.	Hill of Webb.
Caven.	Hodges.
Coombes.	Holekamp.
Crossley.	Hughes.
Daniel.	Hunt.
Davidson.	Jones of Atascosa.
Dean.	Jones of Runnels.
Devall.	Kyle of Hays.
Engelhard.	Kyle of Palo Pinto.
Fain.	Lemens.
Few.	Leonard.

Lindsey.	Russell.
Magee.	Scott.
Merritt.	Shults.
Metcalf.	Stanfield.
Mitcham.	Steward.
Munson.	Stinson.
Palmer.	Stovall.
Parkhouse.	Thomas.
Ratliff.	Townsend.
Ray.	Turlington.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Weinert.
Renfro.	Wells.
Riddle.	Winningham.
Roberts.	Wood.
Rollins.	Young.

Absent

Barron.	Johnson
Bedford.	of Anderson.
Cathey.	Kayton.
Clayton.	Long.
Dunlap.	McCullough.
Duvall.	Moffett.
Griffith.	Nicholson.
Harrison.	Patterson.
Holland.	Reader.
Holloway.	Savage.
	West.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 98, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows: For the two-year period beginning September 1, 1933, and ending August 31, 1935, and declaring an emergency."

H. B. No. 413, A bill to be entitled "An Act providing for the government of water improvement districts organized or hereafter organized in accordance with the provisions of Chapter 247, Acts of the Fortieth Legislature, and governed by the provisions of Chapter 2, Title 128, Revised Civil Statutes and amendments thereto, and declaring an emergency."

H. B. No. 99, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign, and/or transfer all right, title, and interest of whatsoever class, kind, or character directly or indirectly belonging to the State of Texas in and to that tract of land known as the 26.5-acre Park Site, situated near Concan Post Office, in Uvalde County, Texas, to A. B. Mayhew; and declaring an emergency."

H. B. No. 575, A bill to be entitled "An Act for the purpose of making plain the salute to the Texas Flag, and giving uniformity to the salute; providing a clear description of the Flag to the end that pupils in the lower grades of the elementary school will be able to draw or make the Flag; providing for the standardization of the star in the blue stripe in the dimensions used, and its position in the stripe so that uniformity shall be the result hereafter in the making of Texas Flags; describing the method of construction of the star in language that is definite and clear; and outlining rules for correct use and display of the Texas Flag; and declaring an emergency." (With amendments.)

The Senate has adopted

H. C. R. No. 21, Relating to the duties of the Highway Motor Patrol. (With amendment.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO SENATE CONCURRENT RESOLUTION NO. 25

The Speaker asked unanimous consent of the House that Senate Concurrent Resolution No. 25 be withdrawn from the Committee on Claims and Accounts, and referred to the Committee on State Affairs.

There was no objection offered, and it was so ordered.

RELATIVE TO HOUSE BILL NO. 882

On motion of Mr. Morrison, by unanimous consent of the House, the caption of House Bill No. 882 was ordered amended to conform to all changes made in the body of the bill.

NOTICES GIVEN

Mr. Walker gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 878, which bill had heretofore been laid on the table subject to call.

Mr. Daniel gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 717, which bill had heretofore been laid on the table subject to call.

Mr. Bradley gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 100, which bill had heretofore been laid on the table subject to call.

RECESS

On motion of Mr. Morse, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

SENATE JOINT RESOLUTION NO.
11 ON FINAL PASSAGE

The Speaker laid before the House, on its final passage,

S. J. R. No. 11, Proposing an amendment to the Constitution of Texas, by amending Article IV, Section 26, changing the manner of appointment of notaries public;

The resolution having heretofore been read third time.

Senate Joint Resolution No. 11 then failed to pass by the following vote:

Yeas—51

Adamson.	Dean.
Alexander.	Devall.
Anderson	Dwyer.
of Johnson.	Good.
Bedford.	Haag.
Burns.	Hankamer.
Calvert.	Harris.
Caven.	Hartzog.
Chastain.	Hill of Brazoria.
Clayton.	Hill of Webb.
Colson.	Holland.
Coombes.	Jackson.
Daniel.	Jefferson.

Kyle of Palo Pinto.	Reed of Dallas.
Laird.	Rogers
Latham.	of Ochiltree.
Leonard.	Rollins.
Lotief.	Scott.
Mackay.	Stinson.
McClain.	Tennyson.
Metcalfe.	Wagstaff.
Moore.	Walker.
Morrison.	Wells.
Morse.	West.
Munson.	Winningham.
Nicholson.	Wood.
Parkhouse.	

Nays—57

Aikin.	Magee.
Alsup.	Mathis.
Baker.	Merritt.
Barrett.	Mitcham.
Bourne.	Pope.
Canon.	Puryear.
Crossley.	Ramsey.
Dunlap.	Ratliff.
Dunagan.	Ray.
Fain.	Reader.
Fisher.	Reed of Bowie.
Ford.	Riddle.
Glass.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Russell.
Greathouse.	Scarborough.
Griffith.	Shannon.
Head.	Shults.
Hicks.	Smith.
Hodges.	Steward.
Holekamp.	Sullivan.
Huddleston.	Tarwater.
Hunt.	Thomas.
Hyder.	Tillery.
James.	Townsend.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Weinert.
Lemens.	Young.
Lindsey.	

Absent

Anderson	Hughes.
of Bexar.	Johnson
Barron.	of Anderson.
Beck.	Jones of Atascosa.
Bradley.	Kayton.
Butler.	Kyle of Hays.
Camp.	Long.
Cathey.	McCullough.
Cowley.	McGregor.
Davidson.	McKee.
Duvall.	Moffett.
Engelhard.	Palmer.
Few.	Patterson.
Fuchs.	Pavlica.
Golson.	Renfro.
Harman.	Ross.
Harrison.	Savage.
Hester.	Stanfield.
Holloway.	Stovall.
Hoskins.	Turlington

Absent—Excused

Johnson McDougald.
of Dimmit. Van Zandt.

Mr. Moore moved a call of the House for the purpose of maintaining a quorum pending the consideration of Senate joint resolutions and House joint resolutions, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Moore, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

RELATIVE TO HOUSE BILL NO.
275

On motion of Mr. Tarwater, the caption of House Bill No. 275 was ordered amended to conform to all changes made in the body of the bill.

HOUSE JOINT RESOLUTION NO.
30 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 30, Proposing an amendment to Article VII, of the Constitution of the State of Texas, so as to authorize the taxation of lands belonging to the University of Texas, for county, or school district purposes; and providing for valuation of these lands by State Tax Board; and providing for the payment of such taxes by the State of Texas, to the proper authorities of the counties where said lands are located; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

The resolution was read second time.

Mr. Russell offered the following amendment to the resolution:

Amend House Joint Resolution No. 30, page 1, by striking out the balance of line 25 after the word "board"; also lines 26, 27, 28, and 29, and insert in lieu thereof the following: "And provided that the University of Texas, from the University Available Fund, shall remit annually to each of the counties and school districts in

which said lands are located an amount equal to the tax imposed upon said land for county and school district purposes."

The amendment was adopted.

By unanimous consent of the House, the caption of the resolution was ordered amended to conform to the changes made in the resolution.

House Joint Resolution No. 30 was then passed by the following vote:

Yeas—125

Adamson.	Holekamp.
Aikin.	Holland.
Alexander.	Hoskins.
Anderson	Hughes.
of Bexar.	Hunt.
Anderson	Hyder.
of Johnson.	Jackson.
Baker.	James.
Barrett.	Jefferson.
Barron.	Jones of Atascosa.
Beck.	Jones of Runnels.
Bedford.	Jones of Shelby.
Bourne.	Kayton.
Bradley.	Kyle of Hays.
Burns.	Kyle of Palo Pinto.
Calvert.	Laird.
Camp.	Latham.
Canon.	Lemens.
Cathey.	Leonard.
Caven.	Lindsey.
Chastain.	Long.
Clayton.	Lotief.
Colson.	Magee.
Coombes.	Mackay.
Cowley.	Mathis.
Crossley.	McClain.
Daniel.	McCullough.
Davidson.	McKee.
Dean.	Merritt.
Devall.	Metcalf.
Dunagan.	Mitcham.
Duvall.	Moffett.
Engelhard.	Moore.
Few.	Morrison.
Fisher.	Morse.
Ford.	Munson.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Pavlica.
Goodman.	Puryear.
Graves.	Ramsey.
Griffith.	Ratliff.
Haag.	Ray.
Hankamer.	Reader.
Harris.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Riddle.
Hicks.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hill of Webb.	Rogers
Hodges.	of Ochiltree.

Rollins.	Tarwater.
Ross.	Tennyson.
Russell.	Thomas.
Scarborough.	Tillery.
Scott.	Townsend.
Shannon.	Turlington.
Shults.	Wagstaff.
Smith.	Walker.
Stanfield.	Weinert.
Steward.	Wells.
Stinson.	Winningham.
Stovall.	Wood.

Nays—7

Alsup.	Sullivant.
Fain.	Vaughan.
Greathouse.	Young.
Pope.	

Absent

Butler.	Johnson
Dunlap.	of Anderson.
Dwyer.	McGregor.
Harman.	Patterson.
Harrison.	Renfro.
Hester.	Savage.
Holloway.	West.
Huddleston.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

SENATE JOINT RESOLUTION NO.
21 ON SECOND READING

The Speaker laid before the House, on its second reading,

S. J. R. No. 21, Proposing an amendment to Section 1, of Article IX, of the Constitution of the State of Texas.

Providing that the Legislature may, by two-thirds vote, create new counties and change the boundaries of existing counties; providing that no county shall be created with less than an area of 900 square miles, nor shall any existing county be reduced to less than 900 square miles, unless such county shall contain a population of more than 50,000, according to the last United States Census; providing for the submission of such amendment, proclamation, and publication thereof, and making an appropriation of five thousand dollars (\$5,000), or so much as may be necessary, to pay the expenses of such election.

The resolution was read second time, and was passed by the following vote:

Yeas—109

Adamson.	Kyle of Palo Pinto.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Lemens.
Anderson	Leonard.
of Bexar.	Lindsey.
Anderson	Long.
of Johnson.	Lotief.
Barrett.	Magee.
Barron.	Mathis.
Beck.	McCullough.
Bourne.	McKee.
Bradley.	Merritt.
Canon.	Metcalfe.
Cathey.	Mitcham.
Caven.	Moffett.
Chastain.	Moore.
Clayton.	Morrison.
Colson.	Morse.
Coombes.	Nicholson.
Crossley.	Parkhouse.
Davidson.	Pavlica.
Dean.	Puryear.
Devall.	Ratliff.
Dunlap.	Ray.
Dunagan.	Reader.
Duvall.	Reed of Dallas.
Engelhard.	Riddle.
Few.	Roberts.
Fisher.	Rogers of Hunt.
Ford.	Rogers
Fuchs.	of Ochiltree.
Glass.	Rollins.
Good.	Ross.
Goodman.	Russell.
Greathouse.	Savage.
Griffith.	Scott.
Haag.	Shannon.
Hankamer.	Shults.
Hartzog.	Smith.
Head.	Stinson.
Hicks.	Stovall.
Hill of Webb.	Sullivant.
Holekamp.	Tarwater.
Holland.	Tennyson.
Holloway.	Thomas.
Hoskins.	Tillery.
Hughes.	Townsend.
Hunt.	Turlington.
Hyder.	Wagstaff.
Jackson.	Walker.
James.	Weinert.
Jefferson.	Wells.
Jones of Atascosa.	Winningham.
Jones of Shelby.	Wood.
Kyle of Hays.	Young.

Nays—19

Baker.	Fain.
Burns.	Huddleston.
Calvert.	Mackay.
Camp.	McClain.
Cowley.	Munson.
Daniel.	Palmer.

Pope.
Ramsey.
Reed of Bowie.
Scarborough.

Stanfield.
Steward.
Vaughan.

Absent

Bedford.
Butler.
Dwyer.
Golson.
Graves.
Harman.
Harris.
Harrison.
Hester.
Hill of Brazoria.

Hodges.
Johnson
of Anderson.
Jones of Runnels.
Kayton.
McGregor.
Patterson.
Renfro.
West.

Absent—Excused

Johnson
of Dimmit.
McDougald.
Van Zandt.

HOUSE JOINT RESOLUTION NO. 41 ON SECOND READING

The Speaker laid before the House,
on its second reading,

H. J. R. No. 41, Proposing an amendment to Section 5, of Article II, of the Constitution of Texas, permitting a city that has adopted and amended its charter as provided in Section 5, of Article II, to alter, amend, or repeal its charter once in every six months; providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor.

The resolution was read second time.

Mr. Stinson offered the following amendment to the resolution:

Amend House Joint Resolution No. 41 by striking out the words "six months," in line 33, Section 5, and insert in lieu thereof the words "twelve months."

STINSON,
SAVAGE.

Mr. Mathis moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—51

Anderson
of Bexar.
Anderson
of Johnson.
Bourne.
Bradley.
Burns.
Cathey.

Caven.
Clayton.
Colson.
Crossley.
Daniel.
Davidson.
Engelhard.
Ford.

Fuchs.
Glass.
Goodman.
Hartzog.
Head.
Hill of Brazoria.
Hill of Webb.
Holland.
James.
Jefferson.
Jones of Shelby.
Kyle of Hays.
Kyle of Palo Pinto.
Laird.
Leonard.
Long.
Mackay.
McClain.
McCullough.
Mitcham.

Moore.
Morse.
Pavlica.
Pope.
Ramsey.
Ratliff.
Reader.
Renfro.
Roberts.
Rogers
of Ochiltree.
Russell.
Scarborough.
Shannon.
Shults.
Stovall.
Tillery.
Weinert.
Young.

Nays—61

Adamson.
Aikin.
Alexander.
Alsup.
Baker.
Barrett.
Bedford.
Calvert.
Camp.
Canon.
Cowley.
Dunagan.
Fain.
Few.
Fisher.
Golson.
Graves.
Greathouse.
Griffith.
Haag.
Hankamer.
Harman.
Harris.
Hicks.
Hodges.
Holekamp.
Hughes.
Hunt.
Hyder.
Jackson.
Latham.

Lemens.
Lotief.
Magee.
Merritt.
Metcalf.
Moffett.
Morrison.
Nicholson.
Palmer.
Parkhouse.
Puryear.
Ray.
Reed of Bowie.
Reed of Dallas.
Rogers of Hunt.
Rollins.
Savage.
Scott.
Stanfield.
Stinson.
Sullivan.
Tarwater.
Tennyson.
Thomas.
Townsend.
Vaughan.
Wagstaff.
Walker.
Wells.
Wood.

Present—Not Voting

Dean.
Devall.
Hoskins.
Jones of Atascosa.
Jones of Runnels.

Smith.
Steward.
Turlington.
Winningham.

Absent

Barron.
Beck.
Butler.
Chastain.

Coombes.
Dunlap.
Duvall.
Dwyer.

Good.
Harrison.
Hester.
Holloway.
Huddleston.
Johnson
of Anderson.
Kayton.
Lindsey.

Mathis.
McGregor.
McKee.
Munson.
Patterson.
Riddle.
Ross.
West.

Absent—Excused

Johnson McDougald.
of Dimmit. Van Zandt.

Question then recurring on the amendment by Mr. Stinson, it was adopted.

On motion of Mr. Morse, by unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Joint Resolution No. 41 was then passed by the following vote:

Yeas—112

Adamson.	Head.
Aikin.	Hill of Brazoria.
Alexander.	Hill of Webb.
Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Holland.
Anderson	Hoskins.
of Johnson.	Hughes.
Barrett.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Jones of Runnels.
Bradley.	Jones of Shelby.
Burns.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Laird.
Caven.	Latham.
Clayton.	Lemens.
Colson.	Leonard.
Coombes.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Magee.
Dunagan.	Mackay.
Engelhard.	Mathis.
Fain.	McClain.
Few.	McCullough.
Fisher.	McGregor.
Ford.	Merritt.
Fuchs.	Metcalfe.
Glass.	Moffett.
Goodman.	Moore.
Graves.	Morrison.
Greathouse.	Morse.
Griffith.	Munson.
Haag.	Nicholson.
Hankamer.	Palmer.
Harman.	Parkhouse.
Harris.	Pavlica.
Harrison.	Pope.
Hartzog.	Puryear.

Ramsey.	Shannon.
Ratliff.	Shults.
Ray.	Stanfield.
Reader.	Steward.
Reed of Bowie.	Stinson.
Reed of Dallas.	Stovall.
Renfro.	Sullivan.
Riddle.	Tennyson.
Roberts.	Townsend.
Rogers of Hunt.	Turlington.
Rogers	Wagstaff.
of Ochiltree.	Walker.
Rollins.	Weinert.
Russell.	West.
Savage.	Wood.
Scarborough.	Young.
Scott.	

Nays—12

Baker.	Hyder.
Calvert.	Thomas.
Cowley.	Tillery.
Crossley.	Vaughan.
Golson.	Wells.
Hicks.	Winningham.

Present—Not Voting

Camp.	Mitcham.
Devall.	Smith.
Jones of Atascosa.	Tarwater.

Absent

Barron.	Huddleston.
Butler.	Hunt.
Chastain.	Johnson
Dunlap.	of Anderson.
Duvall.	Kayton.
Dwyer.	McKee.
Good.	Patterson.
Hester.	Ross.
Holloway.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

HOUSE JOINT RESOLUTION NO.
42 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 42, Proposing amendments to Section 30, of Article XVI, of the Constitution of Texas, permitting elected officials of a city that has adopted and amended its charter as provided in Section 5, of Article II, of the Constitution of Texas, by amendment to such city's charter to hold office not exceeding four (4) years; providing for its submission to the voters of the State of Texas, as required by the Constitution, and making an appropriation therefor.

The resolution was read second time, and was passed by the following vote:

Yeas—110

Adamson.	Laird.
Aikin.	Latham.
Anderson	Lemens.
of Bexar.	Leonard.
Anderson	Lindsey.
of Johnson.	Long.
Barrett.	Lotief.
Barron.	Magee.
Bourne.	Mackay.
Bradley.	Mathis.
Burns.	McClain.
Camp.	McCullough.
Canon.	McKee.
Cathey.	Merritt.
Caven.	Metcalfe.
Clayton.	Moore.
Colson.	Morrison.
Coombes.	Morse.
Crossley.	Munson.
Daniel.	Nicholson.
Davidson.	Palmer.
Dean.	Parkhouse.
Devall.	Pope.
Dunagan.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ratliff.
Few.	Ray.
Fisher.	Reader.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Graves.	of Ochiltree.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harman.	Savage.
Harrison.	Shannon.
Hartzog.	Shults.
Hicks.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Holland.	Sullivan.
Hoskins.	Tennyson.
Hughes.	Thomas.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Wood.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

Nays—15

Alsup.	Beck.
Baker.	Calvert.

Cowley.	Scarborough.
Fain.	Scott.
Greathouse.	Tillery.
Hyder.	Wells.
Mitcham.	Winningham.
Reed of Bowie.	

Present—Not Voting

Alexander.	Hunt.
Holekamp.	Tarwater.

Absent,

Bedford.	Huddleston.
Butler.	Johnson
Chastain.	of Anderson.
Dunlap.	McGregor.
Duvall.	Moffett.
Harris.	Patterson.
Head.	Pavlica.
Hester.	Smith.
Holloway.	West.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

SENATE BILL NO. 80 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 80, A bill to be entitled "An Act amending Article 367, of the Texas Penal Code, relating to demanding and collecting illegal fees; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—108

Adamson.	Few.
Aikin.	Fisher.
Alsup.	Ford.
Anderson	Fuchs.
of Bexar.	Glass.
Baker.	Good.
Barrett.	Graves.
Bourne.	Greathouse.
Bradley.	Griffith.
Burns.	Haag.
Calvert.	Hankamer.
Camp.	Hartzog.
Canon.	Hicks.
Clayton.	Hill of Brazoria.
Colson.	Hill of Webb.
Cowley.	Hodges.
Crossley.	Holland.
Daniel.	Hoskins.
Davidson.	Huddleston.
Dean.	Hughes.
Dunlap.	Hunt.
Dunagan.	Hyder.
Engelhard.	Jackson.
Fain.	Jefferson.

Jones of Atascosa.	Reed of Dallas.
Jones of Runnels.	Renfro.
Jones of Shelby.	Riddle.
Kayton.	Roberts.
Kyle of Hays.	Rogers of Hunt.
Kyle of Palo Pinto.	Rogers
Laird.	of Ochiltree.
Latham.	Rollins.
Lindsey.	Ross.
Long.	Russell.
Lotief.	Savage.
Magee.	Scarborough.
Mackay.	Shannon.
McClain.	Shults.
McCullough.	Stanfield.
McGregor.	Steward.
McKee.	Stinson.
Merritt.	Stovall.
Metcalfe.	Sullivant.
Mitcham.	Tarwater.
Morrison.	Thomas.
Munson.	Tillery.
Nicholson.	Townsend.
Palmer.	Turlington.
Parkhouse.	Vaughan.
Puryear.	Wagstaff.
Ramsey.	Walker.
Ratliff.	Weinert.
Ray.	Wells.
Reader.	Wood.
Reed of Bowie.	Young.

Nays—2

Cathey.	Scott.
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Present—Not Voting

Alexander.	Holekamp.
Anderson	James.
of Johnson.	Tennyson.
Devall.	Winningham.

Absent

Barron.	Hester.
Beck.	Holloway.
Bedford.	Johnson
Butler.	of Anderson.
Caven.	Lemens.
Chastain.	Leonard.
Coombes.	Mathis.
Duvall.	Moffett.
Dwyer.	Moore.
Golson.	Morse.
Goodman.	Patterson.
Harman.	Pavlica.
Harris.	Pope.
Harrison.	Smith.
Head.	West.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

SENATE BILL NO. 83 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 83, A bill to be entitled "An Act amending Section 5, of Article 1029 of the Texas Code of Criminal Procedure, relating to fees of sheriff or constable; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—117

Aikin.	Jefferson.
Alexander.	Jones of Atascosa.
Alsup.	Jones of Runnels.
Anderson	Jones of Shelby.
of Johnson.	Kayton.
Baker.	Kyle of Hays.
Barrett.	Kyle of Palo Pinto.
Barron.	Laird.
Beck.	Latham.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Long.
Calvert.	Lotief.
Camp.	Magee.
Canon.	Mackay.
Cathey.	McCullough.
Caven.	Merritt.
Chastain.	Metcalfe.
Clayton.	Mitcham.
Colson.	Moffett.
Coombes.	Moore.
Cowley.	Morrison.
Crossley.	Munson.
Daniel.	Nicholson.
Davidson.	Parkhouse.
Dean.	Pope.
Devall.	Puryear.
Dunlap.	Ramsey.
Dunagan.	Ratliff.
Dwyer.	Ray.
Engelhard.	Reader.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Fisher.	Riddle.
Ford.	Roberts.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Greathouse.	Savage.
Griffith.	Scarborough.
Haag.	Scott.
Hankamer.	Shannon.
Harrison.	Shults.
Hartzog.	Smith.
Hill of Brazoria.	Steward.
Hill of Webb.	Stinson.
Holekamp.	Stovall.
Holland.	Sullivant.
Hoskins.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
James.	Turlington.

Vaughan.
Wagstaff.
Walker.
Weinert.

Wells.
Wood.
Young.

Nays—4

Adamson.
Huddleston.

McKee.
Stanfield.

Absent

Anderson
of Bexar.
Bedford.
Butler.
Duvall.
Graves.
Harman.
Harris.
Head.
Hester.
Hicks.
Hodges.
Holloway.

Johnson
of Anderson.
Lemens.
Mathis.
McClain.
McGregor.
Morse.
Palmer.
Patterson.
Pavlica.
Renfro.
Rogers of Hunt.
West.
Winningham.

Absent—Excused

Johnson
of Dimmit.

McDougald.
Van Zandt.

SENATE BILL NO. 269 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 269, A bill to be entitled "An Act appropriating the unexpended balance of funds appropriated for the control and prevention of malaria, by Chapter 41, Acts, Regular Session, Forty-second Legislature; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—108

Adamson.
Aikin.
Alexander.
Alsup.
Anderson
of Bexar.
Anderson
of Johnson.
Barrett.
Beck.
Bourne.
Bradley.
Burns.
Calvert.
Camp.
Canon.
Cathey.
Caven.
Chastain.

Clayton.
Colson.
Cowley.
Crossley.
Daniel.
Davidson.
Dean.
Devall.
Dunlap.
Dunagan.
Engelhard.
Few.
Fisher.
Ford.
Glass.
Golson.
Goodman.
Graves.
Griffith.

Haag.
Hankamer.
Harman.
Harrison.
Hill of Webb.
Hodges.
Holekamp.
Holland.
Hoskins.
Hughes.
Hyder.
Jackson.
James.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kayton.
Kyle of Palo Pinto.
Laird.
Latham.
Leonard.
Lindsey.
Long.
Lotief.
Magee.
Mackay.
McCullough.
Metcalf.
Mitcham.
Moffett.
Moore.
Morrison.
Nicholson.
Palmer.
Parkhouse.
Ramsey.
Ratliff.

Ray.
Reader.
Reed of Bowie.
Reed of Dallas.
Renfro.
Riddle.
Roberts.
Rogers of Hunt.
Rogers
of Ochiltree.
Rollins.
Ross.
Russell.
Savage.
Scarborough.
Shannon.
Shults.
Smith.
Stanfield.
Steward.
Stinson.
Stovall.
Sullivant.
Tarwater.
Tennyson.
Thomas.
Tillery.
Townsend.
Turlington.
Wagstaff.
Walker.
Weinert.
Wells.
Winningham.
Wood.
Young.

Nays—8

Fain.
Good.
Greathouse.
Hunt.

McKee.
Pope.
Purvey.
Scott.

Absent

Baker.
Barron.
Bedford.
Butler.
Coombes.
Duvall.
Dwyer.
Fuchs.
Harris.
Hartzog.
Head.
Hester.
Hicks.
Hill of Brazoria.
Holloway.
Huddleston.

Jefferson.
Johnson
of Anderson.
Kyle of Hays.
Lemens.
Mathis.
McClain.
McGregor.
Merritt.
Morse.
Munson.
Patterson.
Pavlica.
Vaughan.
West.

Absent—Excused

Johnson
of Dimmit.

McDougald.
Van Zandt.

SENATE BILL NO. 76 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 76, A bill to be entitled "An Act relating to the installation, operation, and use of short wave radio receiving sets in motor vehicles, prohibiting the installation and use thereof without a permit, except by bona fide peace officers, prescribing the penalty; and declaring an emergency."

The bill was read second time.

Mr. Camp offered the following amendment to the bill:

Amend Senate Bill No. 76, page 1, by striking out line 32, after the word "located," and all of lines 33, 34, and 35, to include the word "granted."

The amendment was adopted.

Senate Bill No. 76 then failed to pass to third reading by the following vote:

Yeas—50

Alexander.	Mackay.
Anderson	Mathis.
of Johnson.	Metcalfe.
Barrett.	Mitcham.
Bourne.	Moffett.
Bradley.	Moore.
Burns.	Morse.
Cathey.	Munson.
Clayton.	Parkhouse.
Daniel.	Reed of Bowie.
Duvall.	Reed of Dallas.
Dwyer.	Rollins.
Engelhard.	Ross.
Few.	Russell.
Griffith.	Savage.
Hankamer.	Shannon.
Hill of Webb.	Smith.
Hoskins.	Steward.
Hughes.	Stinson.
Hyder.	Stovall.
Jackson.	Tillery.
Jones of Runnels.	Townsend.
Kyle of Palo Pinto.	Wagstaff.
Lemens.	Wells.
Lindsey.	Winningham.
Magee.	

Nays—63

Adamson.	Canon.
Aikin.	Caven.
Alsop.	Chastain.
Anderson	Cowley.
of Bexar.	Crossley.
Baker.	Dean.
Barron.	Devall.
Calvert.	Dunagan.
Camp.	Fain.

Fisher.	McKee.
Ford.	Merritt.
Glass.	Nicholson.
Golson.	Pavlica.
Goodman.	Pope.
Graves.	Ramsey.
Greathouse.	Ratliff.
Harris.	Ray.
Hartzog.	Riddle.
Hicks.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Huddleston.	Scarborough.
Hunt.	Scott.
James.	Shults.
Jefferson.	Sullivant.
Jones of Shelby.	Tennyson.
Kayton.	Thomas.
Leonard.	Turlington.
Long.	Vaughan.
Lotief.	Walker.
McClain.	Young.
McCullough.	

Present—Not Voting

Beck.	Jones of Atascosa.
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Absent

Bedford.	Kyle of Hays.
Butler.	Laird.
Colson.	Latham.
Coombes.	McGregor.
Davidson.	Morrison.
Dunlap.	Palmer.
Fuchs.	Patterson.
Good.	Puryear.
Haag.	Reader.
Harman.	Renfro.
Harrison.	Stanfield.
Head.	Tarwater.
Hester.	Weinert.
Holland.	West.
Holloway.	Wood.
Johnson	
of Anderson.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

Mr. Pope moved to reconsider the vote by which the bill failed to pass to third reading, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 19 WITH SEN-
ATE AMENDMENTS

Mr. Bradley called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 19, A bill to be entitled "An Act to amend Article 1572, Chapter 3, Title 18, Penal Code of the State of Texas, Revision of 1925, and declaring an emergency." (Relating to 54-hour week for female employees.)

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Bradley moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Bradley, Jefferson, Adamson, Bedford, and Mrs. Hughes.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 6, A bill to be entitled "An Act to regulate the granting of pipe line right of way easements, and the terms thereof and the rates to be charged therefor, across public lands of Texas; providing for the disposition of proceeds received from such easements, etc.; and declaring an emergency." (With amendments.)

H. B. No. 19, A bill to be entitled "An Act to amend Article 1572, Chapter 3, Title 18, Penal Code of the State of Texas, Revision of 1925, and declaring an emergency." (Relating to the 54-hour week for female employees.) (With amendments.)

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 85 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 85, A bill to be entitled "An Act amending Article 1020, Texas Code of Criminal Procedure, relating to testimony in examining courts; providing for filing of such testimony

with district clerks; providing for payment of fees to district clerks and county attorneys in examining trials; and declaring an emergency."

The bill was read second time.

Mr. Calvert offered the following amendments to the bill:

(1)

Amend Senate Bill No. 85, page 2, line 8, by changing the period at the end of such line to a comma, and adding the following: "and provided further, that sheriffs and constables shall not be entitled to payment of the mileage herein provided for until an indictment has been returned in any such case."

(2)

Amend Senate Bill No. 85, page 2, line 1, by inserting between the figures "1925" and the period following the same, the following: "upon the proper preparation and presentment to the court of an affidavit, sworn to by such sheriff or constable, showing the number of miles actually and necessarily traveled in serving such process as required by Section 7, of Article 1030, Code of Criminal Procedure, 1925."

The amendments were severally adopted.

Senate Bill No. 85 was then passed to third reading.

SENATE BILL NO. 85 ON THIRD READING

Mr. Jones of Atascosa moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 85 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Caven.
Aikin.	Chastain.
Alexander.	Clayton.
Alsup.	Colson.
Barrett.	Cowley.
Beck.	Crossley.
Bourne.	Daniel.
Bradley.	Davidson.
Burns.	Dean.
Calvert.	Devall.
Camp.	Dunagan.
Canon.	Engelhard.
Cathey.	Fain.

Fuchs.	Munson.
Glass.	Nicholson.
Golson.	Palmer.
Good.	Parkhouse.
Goodman.	Pavlica.
Haag.	Pope.
Harris.	Puryear.
Hill of Brazoria.	Ramsey.
Hodges.	Ratliff.
Holekamp.	Ray.
Holland.	Reader.
Huddleston.	Reed of Bowie.
Hughes.	Renfro.
Hunt.	Riddle.
Hyder.	Roberts.
Jackson.	Rogers of Hunt.
James.	Rogers
Jefferson.	of Ochiltree.
Jones of Atascosa.	Rollins.
Jones of Runnels.	Ross.
Jones of Shelby.	Russell.
Kyle of Hays.	Scarborough.
Kyle of Palo Pinto.	Scott.
Latham.	Shannon.
Lemens.	Shults.
Leonard.	Smith.
Lindsey.	Steward.
Long.	Stovall.
Lotief.	Sullivant.
Magee.	Tarwater.
Mathis.	Tillery.
McKee.	Townsend.
Merritt.	Turlington.
Metcalfe.	Wagstaff.
Mitcham.	Weinert.
Moffett.	Wells.
Moore.	Winningham.
Morrison.	Wood.
Morse.	Young.

Nays—3

Hicks.	Vaughan.
Reed of Dallas.	

Absent

Anderson	Harrison.
of Bexar.	Hartzog.
Anderson	Head.
of Johnson.	Hester.
Baker.	Hill of Webb.
Barron.	Holloway.
Bedford.	Hoskins.
Butler.	Johnson
Coombes.	of Anderson.
Dunlap.	Kayton.
Duvall.	Laird.
Dwyer.	Mackay.
Few.	McClain.
Fisher.	McCullough.
Ford.	McGregor.
Graves.	Patterson.
Greathouse.	Savage.
Griffith.	Stanfield.
Hankamer.	Stinson.
Harman.	Tennyson.

Thomas.	West.
Walker.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

The Speaker then laid Senate Bill No. 85 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110

Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Alsop.	Kyle of Palo Pinto.
Baker.	Latham.
Barrett.	Lemens.
Beck.	Leonard.
Bourne.	Lindsey.
Bradley.	Long.
Burns.	Lotief.
Calvert.	Magee.
Camp.	Mathis.
Canon.	McClain.
Cathey.	McKee.
Caven.	Merritt.
Chastain.	Metcalfe.
Clayton.	Mitcham.
Colson.	Moffett.
Cowley.	Moore.
Crossley.	Morse.
Daniel.	Munson.
Davidson.	Palmer.
Dean.	Parkhouse.
Devall.	Pavlica.
Dunagan.	Pope.
Engelhard.	Puryear.
Fain.	Ramsey.
Few.	Ratliff.
Fisher.	Ray.
Fuchs.	Reader.
Glass.	Renfro.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harris.	Scarborough.
Hill of Brazoria.	Scott.
Hill of Webb.	Shannon.
Hodges.	Shults.
Holekamp.	Smith.
Holland.	Stanfield.
Huddleston.	Steward.
Hughes.	Stovall.
Hunt.	Sullivant.
Hyder.	Tarwater.
Jackson.	Thomas.
James.	Tillery.
Jefferson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Wagstaff.

Weinert.	Winningham.
Wells.	Wood.
West.	Young.

Nays—8

Greathouse.	Reed of Bowie.
Hicks.	Reed of Dallas.
Morrison.	Stinson.
Nicholson.	Vaughan.

Absent

Anderson	Head.
of Bexar.	Hester.
Anderson	Holloway.
of Johnson.	Hoskins.
Barron.	Johnson
Bedford.	of Anderson.
Butler.	Laird.
Coombes.	Mackay.
Dunlap.	McCullough.
Duvall.	McGregor.
Dwyer.	Patterson.
Ford.	Rogers
Graves.	of Ochiltree.
Harman.	Savage.
Harrison.	Tennyson.
Hartzog.	Walker.

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

RELATIVE TO SENATE JOINT
RESOLUTION NO. 11

Mr. Fain moved to reconsider the vote by which Senate Joint Resolution No. 11 failed to pass, and asked to have the motion to reconsider spread on the Journal.

SENATE BILL NO. 88 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 88, A bill to be entitled "An Act amending Chapter 91, page 222, Section 4, of the Acts of the Forty-first Legislature, 1929, First Called Session, relating to additional duties of the State Auditor; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 92 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 92, A bill to be entitled "An Act amending Article 6008, of the Revised Civil Statutes of 1925, as amended by Section 2, Chapter 26, of

the Acts of the Forty-second Legislature, First Called Session, prohibiting the waste of gas by escape, and requiring the confinement thereof under the terms and conditions of said Article; providing for the utilization of gas containing hydrogen sulphide or other foreign substance, for purposes other than light or fuel to the extent of 25 per cent of the open flow of the wells producing such gas; giving the Commission authority to permit such utilization in excess of 25 per cent of the open flow after hearing; and providing that such utilization shall not constitute waste; affixing penalty for violation thereof; repealing all laws in conflict therewith; and declaring an emergency."

The bill was read second time.

Mr. Long offered the following amendment to the bill:

Amend Senate Bill No. 92, page 2, lines 15 and 16, by striking out the language "to the extent of 25 per cent of the open flow of the well producing such gas," and insert in lieu thereof the following: "Provided, such utilization shall extend no further in percentage of potential open flow of any such well than the percentage of potential open flow produced from the nearest wells in the same locality from which the gas produced is used for light and fuel purposes."

MATHIS,
LONG.

Question—Shall the amendment by Mr. Long be adopted?

RELATIVE TO THE INTRODUC-
TION OF A LOCAL BILL

Mr. Leonard moved to introduce, and have read, on tomorrow, a local bill.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Camp.
Aikin.	Canon.
Alexander.	Chastain.
Alsup.	Clayton.
Anderson	Colson.
of Bexar.	Coombes.
Anderson	Crossley.
of Johnson.	Daniel.
Baker.	Dean.
Barrett.	Dunlap.
Barron.	Dunagan.
Beck.	Duvall.
Bourne.	Dwyer.
Bradley.	Fain.
Burns.	Fisher.

Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morse.
Golson.	Munson.
Good.	Palmer.
Goodman.	Pavlica.
Greathouse.	Pope.
Griffith.	Puryear.
Hankamer.	Ramsey.
Hartzog.	Ratliff.
Hicks.	Ray.
Hodges.	Reed of Bowie.
Holekamp.	Roberts.
Holland.	Rogers of Hunt.
Hoskins.	Rogers of Ochiltree.
Huddleston.	Rollins.
Hunt.	Ross.
Hyder.	Russell.
Jackson.	Savage.
James.	Scarborough.
Jefferson.	Scott.
Jones of Runnels.	Shannon.
Kayton.	Shults.
Kyle of Hays.	Smith.
Kyle of Palo Pinto.	Steward.
Laird.	Stinson.
Latham.	Sullivant.
Leonard.	Tennynson.
Lindsey.	Tillery.
Lotief.	Townsend.
Magee.	Turlington.
Mackay.	Vaughan.
Mathis.	Wagstaff.
McCullough.	Walker.
McGregor.	West.
Merritt.	Winningham.
Metcalf.	Wood.
Mitcham.	Young.

Present—Not Voting

Devall.

Absent

Bedford.	Jones of Atascosa.
Butler.	Jones of Shelby.
Calvert.	Lemens.
Cathey.	Long.
Caven.	McClain.
Cowley.	McKee.
Davidson.	Morrison.
Engelhard.	Nicholson.
Few.	Parkhouse.
Graves.	Patterson.
Haag.	Reader.
Harman.	Reed of Dallas.
Harris.	Renfro.
Harrison.	Riddle.
Head.	Stanfield.
Hester.	Stovall.
Hill of Brazoria.	Tarwater.
Hill of Webb.	Thomas.
Holloway.	Weinert.
Hughes.	Wells.
Johnson of Anderson.	

Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 98, to the Committee on Appropriations.

RECESS

On motion of Mr. Mathis, the House, at 5:30 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Education: House Bill No. 233.

Judicial Districts: Senate Bills Nos. 409 and 192.

Agriculture: House Bill No. 623.

Game and Fisheries: House Bills Nos. 882 and 884.

The Committee on Agriculture filed an adverse report, with a minority favorable report, on House Bill No. 858.

FIFTIETH DAY

(Continued)

(Thursday, April 13, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

HOUSE BILL NO. 6 WITH SENATE AMENDMENTS

Mrs. Hughes called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 6, A bill to be entitled "An Act to regulate the granting of pipe line right of way easements, and the terms thereof, and the rates to be charged therefor, across public lands of Texas; providing for the disposition of proceeds received from